Construction of New Tank near Baby Chinukurali and Hosahally Villages in Pandavapura Taluk.

822 SRI K. R. RAJAGOPAL (Pandavapura).—Will the Minister for Minor Irrigation be pleased to state :—

(*a*) whether Government intend to construct New tanks ;

(i) Near Baby village, Chinukurali Village ;

(ii) Near Hosahally village, Chinukurali hobli, (Pura tank) (including in the budget) in Pandavapura constituency ;

(*b*) if so, whether the said works have been estimated and included in the budget ;

(*c*) whether the estimates of these works were revised before ten years ;

(*d*) if so, when the Government propose to take up constructione of these tanks ?

SRI D. B. CHANDREGOWDA (Minister for Minor Irrigation).—

(*a*) Yes.

(*b*) Yes in 1978-79.

(*c*) No.

(*d*) Under examination.

Sites distributed to Landless People in Gurupur Firka of Mangalore Taluk.

933 SRI B. A. MOHIDEEN (Bantwal).—Will the Minister of State for Housing be pleased to state :—

(*a*) the number of sites distributed so far to the landless people in Gurupur Firka of Mangalore Taluk ;

(*b*) how many are in physical possession of sites for which they have been issued with pattas ?

SRI P. F. RODRIGUES (Minister of State for Housing).—

(*a*) 2,162.

(*b*) 573.

Matter under rule 312

re : B. C. C. officers' meetings and happenings there at

ಶ್ರೀ ಎಚ್. ಸಿ. ಶ್ರೀಕಂಠಯ್ಯ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಮೇಲ್ಮನೆಯಲ್ಲಿ ನನಗೆ ಸಂಬಂಧಪಟ್ಟಹಾಗೆ ಮೂರು ಪ್ರಶ್ನೆಗಳು, ಎರಡು ಗಮನಸೆಳೆಯುವ ಸೂಚನೆಗಳು ಮತ್ತು ೩೧೨ರ ಕೆಳಗೆ ಒಂದು ಸೂಚನೆ

ಇವೆ. ಆದ್ದರಿಂದ ನಾನು ಅಲ್ಲಿಗೆ ಹೋಗಬೇಕು, ಇಲ್ಲಿ ೩೧೨ರ ಕೆಳಗೆ ಒಂದು ಸೂಚನೆಗೆ ನಾನು ಉತ್ತರ ಕೊಡಬೇಕಾಗಿದೆ. ಆದ್ದರಿಂದ ಇದನ್ನೇ ಈಗ ಮೊದಲು ತೆಗೆದುಕೊಂಡು ಗಮನ ಸೆಳೆಯುವ ಸೂಚನೆಗಳನ್ನು ಇದಾದನಂತರ ತೆಗೆದುಕೊಂಡರೆ ನನಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ತಾವು ದಯವಿಟ್ಟು ಆ ರೀತಿ ಮಾಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಅಧ್ಯಕ್ಷರು.—ಆಗಬಹುದು. ಈಗ ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರಾದ ಬೊಮ್ಮಾಯಿಯವರು ಈ ವಿಷಯವನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡಬಹುದು.

† ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ (ಹುಬ್ಬಳ್ಳಿ).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈ ಮನೆಯ ಗೌರವ ಸದಸ್ಯರಾದ ಶ್ರೀಮಾನ್ ಸಾಲಪ್ಪನವರು ಕಾರ್ಪೊರೇಷನ್ನಿನ ಅಧಿಕಾರಿಗಳಿಗೆ ಅವಾಚ್ಯ ಶಬ್ದಗಳಿಂದ ಬೈದು ಅವರ ಕೆಲಸಕ್ಕೆ ಅಡ್ಡಿಮಾಡಿ ತೊಂದರೆ ಕೊಟ್ಟಿರುವ ಬಗ್ಗೆ ಅಲ್ಲಿನ ಅಧಿಕಾರಿಗಳು ರೆಪ್ರಸೆಂಟೇಷನ್ ಕೊಟ್ಟಿದ್ದಾರೆ. ಮಾನ್ಯ ಸಾಲಪ್ಪನವರು ಈ ಮನೆಯಲ್ಲಿ ಮಾತನಾಡುವಾಗ ಒಂದು ವಿಚಾರ ಹೇಳಿದ್ದಾರೆ. ಏನೆಂದರೆ ಕಾರ್ಪೊರೇಷನ್ನಿನ ಹಿರಿಯ ಅಧಿಕಾರಿಗಳು ಹರಿಜನರಿಗೆ ಅವಾಚ್ಯ ಶಬ್ದದಿಂದ ಬೈದು ಮಾತನಾಡಿದರು ಎಂಬುದಾಗಿ, ಈ ವಿಚಾರಗಳ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡಲು ನಾನು ೩೧೨ರ ಕೆಳಗೆ ಒಂದು ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆ ಬಗ್ಗೆ ಕೆಲವು ಮಾತುಗಳನ್ನು ಹೇಳಬಯಸುತ್ತೇನೆ. ಈ ಮನೆಯ ಸದಸ್ಯರಾಗಿ ಜನತಾಪ್ರತಿನಿಧಿಗಳಾಗಿ ಆಯ್ಕೆ ಆದಮೇಲೆ ಸಾರ್ವಜನಿಕ ಕೆಲಸಕ್ಕಾಗಿ ಅಧಿಕಾರಿಗಳ ಹತ್ತಿರ ಹೋಗತಕ್ಕದ್ದು, ಮಂತ್ರಿಗಳ ಹತ್ತಿರ ಹೋಗತಕ್ಕದ್ದು ಅವರ ಕರ್ತವ್ಯ. ಅದೂ ಅಲ್ಲದೆ ಸಾರ್ವಜನಿಕರಿಗೆ ತೊಂದರೆ ಆದಾಗ ಅವರ ಸಮಸ್ಯೆಗಳನ್ನು ಬಿಡಿಸುವುದಕ್ಕೆ ಅಧಿಕಾರಿಗಳಿಗೆ ತಿಳಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅವರ ಮೇಲೆ ನೈತಿಕವಾಗಿ ಒತ್ತಾಯ ತರತಕ್ಕದ್ದು ಅವರ ಮಹತ್ವದ ಹಕ್ಕು. ಅದನ್ನು ನಾನು ಅಲ್ಲಗಳೆಯುವುದಿಲ್ಲ. ಆ ಹಕ್ಕನ್ನು ಚಲಾಯಿಸತಕ್ಕದ್ದು ಕೂಡ ಶಾಸಕರ ಕರ್ತವ್ಯ ಆದರೆ ನಮಗಿರುವ ಈ ಅಧಿಕಾರವನ್ನು ನಾವು ಬಹಳ ಎಚ್ಚರಿಕೆಯಿಂದ ಉಪಯೋಗ ಮಾಡಿಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ. ಅಧಿಕಾರಿಗಳೂ ಕೂಡ ಈ ಒಂದು ವ್ಯವಸ್ಥೆಯ ಭಾಗ. ಅವರಿಂದ ಸಾರ್ವಜನಿಕ ಕೆಲಸಗಳನ್ನು ಮತ್ತು ಸರ್ಕಾರದ ಕೆಲಸಗಳನ್ನು ಮಾಡಿಸಬೇಕಾಗುತ್ತದೆ. ಅವರೂ ಕೂಡ ನಮ್ಮ ಜೊತೆಗೆ ಗೌರವದಿಂದ ನಡೆದು ಕೊಳ್ಳಬೇಕು ಎಂಬ ಮಾತನ್ನು ಹೇಳುವಾಗ ನಾವೂ ಕೂಡ ಅವರಿಗೆ ಸಲ್ಲತಕ್ಕ ಗೌರವವನ್ನು ಕೊಡತಕ್ಕದ್ದು ನಮ್ಮ ಪ್ರಥಮ ಕರ್ತವ್ಯ. ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಸಾಲಪ್ಪನವರು ಆವತ್ತಿನ ದಿವಸ ಸಭೆಗೆ ಹೋಗಿದ್ದರು. ಆಗ ಶಾಸಕರೂ ಇದ್ದರು ಅಧಿಕಾರಿಗಳೂ ಇದ್ದರು.

† ಶ್ರೀ ಕೆ. ಎಚ್. ರಂಗನಾಥ್.—ಅಧ್ಯಕ್ಷರೇ, ನಾನು ಕ್ರಿಯಾಲೋಪವನ್ನು ಎತ್ತುತ್ತಿದ್ದೇನೆ. ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ೩೧೨ರ ಕೆಳಗೆ ಈ ಪ್ರಶ್ನೆಯನ್ನು ಎತ್ತಿರುವುದರ ಬಗ್ಗೆ ನನ್ನ ಆಭ್ಯಂತರ ಇಲ್ಲ. ಆದರೆ ಈ ನೋಟಿಸಿನಲ್ಲಿ ಯಾರ ಮೇಲೆ ಆಪಾದನೆ ಮಾಡಿ ಮಾತನಾಡುತ್ತಿದ್ದಾರೋ ಅವರ ಹೆಸರಿಲ್ಲ. ಇದರಲ್ಲಿ " to raise a matter under rule 312 regarding the representation given by the Officers of the Bangalore City Corporation about the happenings at a meeting of the City Legislators and the Corporation Officers... " ಎಂದು ಇದೆ. ಆದರೆ ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಾ ಈ ಮನೆಯ ಸದಸ್ಯರ ಹೆಸರನ್ನು ಎತ್ತಿ ಅಲ್ಲಿ ನಡೆದ ಘಟನೆಯನ್ನು ಹೇಳುತ್ತಿದ್ದಾರೆ. ಇದರ ಸತ್ಯಾಂಶದ ಬಗ್ಗೆ ನನಗೆ ಅರಿವಿಲ್ಲ. ಆ ರೀತಿ ಒಬ್ಬರ ಹೆಸರನ್ನು ಹೇಳಿ ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಾದರೆ ಅದನ್ನು ೩೧೨ರ ಕೆಳಗೆ ಎತ್ತುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಅದಕ್ಕೆ ಬೇರೆ ನಿಯಮ ಇದೆ. ಯಾವುದೇ ಒಬ್ಬ ವ್ಯಕ್ತಿಯ ಮೇಲೆ ಆಪಾದನೆ ಮಾಡುವಾಗ ಆ ಬಗ್ಗೆ ಸಮಜಾಯಿಸಿ ಕೇಳಿ ಅವರು ಏನು ಹೇಳುತ್ತಾರೆ ನೋಡಿ ಅದನ್ನು ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರಿಗೆ ಕೊಟ್ಟು ಯಾರ ಬಗ್ಗೆ ಆಪಾದನೆ ಮಾಡುತ್ತಾರೋ ಅವರಿಗೆ ಅವಕಾಶ ಕೊಟ್ಟು ನಂತರ ಸದನದಲ್ಲಿ ಎತ್ತುವುದಕ್ಕೆ ಬೇರೆ ರೂಲ್ ಪ್ರಕಾರ ಅವಕಾಶ ಇದೆ. ಈಗ ನನ್ನ ಕ್ರಿಯಾಲೋಪ ಏನೆಂದರೆ ಈಗ ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ಮತ್ತು ಇತರ ಸದಸ್ಯರು ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಿರುವ ವಿಷಯವನ್ನು ೩೧೨ರ ಕೆಳಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲ ಎಂಬುದರ ಮೇಲೆ, ಸದಸ್ಯರ ಹೆಸರನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡದೇ ನೇರವಾಗಿ ಅಲ್ಲಿ ನಡೆದಿದ್ದನ್ನು ಮಾತ್ರ ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಾದರೆ ೩೧೨ರ ಪ್ರಕಾರ ಮಾಡಬಹುದು. ಆದರೆ ಅಲ್ಲಿ ನಡೆದಿರತಕ್ಕದ್ದು ಸರಿಯೇ ತಪ್ಪೇ ಎಂಬ ಬಗ್ಗೆ ನಾನು ಹೇಳುವುದಕ್ಕೆ ನಿಂತಿಲ್ಲ. ಆ ಮಾತು ಬೇಕೆ

ಅದು ಸತ್ಕಾಂಶವಾಗಿದ್ದು ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಸಾಲಪ್ಪನವರಿಗೆ ಏನಾದರೂ ಹೇಳುವುದಕ್ಕೆ ಅವಕಾಶ ವಿದ್ದರೆ ೩೧೨ರ ಕೆಳಗೆ ಇದನ್ನು ಎತ್ತುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಅದು ಬೇರೆ ರೂಲ್ ಕೆಳಗೆ ಬರುತ್ತದೆ. ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ಮತ್ತು ಇತರ ಸದಸ್ಯರು ಈ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡಬೇಕೆಂದಿದ್ದರೆ ಅದನ್ನು ತಮಗೆ ತಿಳಿಸಿ ನಂತರ ಅವರಿಗೆ ಸಮಜಾಯಿಷಿ ಕೇಳಿ ಒಂದು ಕಾಲವನ್ನು ನಿಗದಿ ಮಾಡಿ ನಂತರ ತೆಗೆದುಕೊಳ್ಳಬಹುದು. ನಾವೂ ಪತ್ರಿಕೆಗಳಲ್ಲಿ ವಿಷಯವನ್ನು ಓದಿದ್ದೇವೆ, ಅಧಿಕಾರಿಗಳು ಮನ ನೊಂದಿದ್ದಾರೆ, ಮತ್ತು ಅವರು ಇನ್ನೇನೋ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಪ್ರಯತ್ನಪಟ್ಟರು ಎಂಬುದನ್ನು ಓದಿದ್ದೇವೆ. ಅಷ್ಟನ್ನೇ ಹೇಳುವುದಾದರೆ ಹೇಳಬಹುದು. ಆದರೆ ಹೆಸರನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡಿ ಅಪಾದನೆ ಮಾಡುವುದಾದರೆ ಅವರಿಗೂ ಕೂಡ ಹೇಳುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಡಬೇಕಾಗುತ್ತದೆ. ಈ ದೃಷ್ಟಿಯಿಂದ ವಿಚಾರ ಮಾಡುವುದಾದರೆ ೩೧೨ರ ಕೆಳಗೆ ಈಗ ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಿರುವ ವಿಷಯವನ್ನು ಎತ್ತುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಅದಕ್ಕೆ ಬೇರೆ ರೂಲ್ ಇದೆ. ಆ ರೂಲ್ ಪ್ರಕಾರ ತೆಗೆದು ಕೊಳ್ಳಬಹುದು. ಆ ಪ್ರಕಾರ ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ನಾಳೆ ಈ ವಿಷಯವನ್ನು ತೆಗೆದು ಕೊಳ್ಳಬಹುದು. ಇದು ನನ್ನ ಕ್ರಿಯಾಲೋಪ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಬೊಮ್ಮಾಯಿ.—ಸ್ವಾಮಿ, ನಾನು ಕೊಟ್ಟ ನೋಟಿಸ್ ಹೀಗಿದೆ. ಇದನ್ನು ಮಾನ್ಯ ಸಂಸದೀಯ ಮಂತ್ರಿಗಳು ಅವಲೋಕಿಸಬೇಕು. ಇದು ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಗಳಿಗೂ ಹೋಗಿದೆ.

It is reported in the Press and oth rwise, that at the meeting of the Bangalore City Members of Legislative Assembly and MLCs with the Administrator Bangalore City Corporation, held on 28th April, 1979. Mr. I. P. D. Salappa, Hon'ble Member of House, used intemporate and threatening and abusing language against the Administrator, Commissioner and the Deputy Commissioner, in particular and the other officials, in general of the Bangalore City Corporation. The attitude of the member is not in keeping with the dignity and responsibility of an elected representative. On the contrary such attitude is likely to empair and even destroy the morale of the public servants in discharging their duties. The situation created need urgent remedial action.

The Officers of the Bangalore City Corporation have, it appears, represented to the authorities explaining their anguish and disgust at the behaviour of the Hon'ble Member and have prayed for suitable action. Hence this motion. I shall read rule 312 for the benefit of th House.

> "312.—A member who wishes to bring to the notice of the Assembly any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the assembly together with reasons for wishing to raise it and he shall be permitted to raise it only after the Speaker has given his consent and at such time and date as the Speaker may fix."

2-00 P M.

If I want to make a specific allegation, I have to give notice under Rule 289. Rule 289 reads thus :

> " 289.—No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply.
>
> Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the Assembly or that no public interest is served by making such allegation, "

If I want to make any allegation against any person, notice has to be given under rule 289—to the Speaker, and the concerned Minister, not to the member or the person. Sir, I have given this notice under rule 312 to raise a matter of public importance which is not a point of order This is a matter of public importantce. At a meeting of City Legislators, the Administrator and the Commissioner of Corporation were present The member of this House has acted in a manner which is not befitting to a member of this House

SRI K. H. RANGANATH.—Let us not go into the merit of the case. The House goes by the agenda This notice is not supplied to all the members of this House. The agenda says:

> " Sriyuths: S. R Bommai, A Lakshmisagar, to raise a matter under rule 312 *re*: the representation given by the Officers of the Bangalore City Corporation about the happenings at a meeting of the City Legislators and the Corporation Officers held on 28th April, 1979. "

I have no objection if you confine only to this extent. But Sir, if he wants to take this under a different rule, then it will not be correct. I do not say that he should not bring in such a matter, he has got every right to do so. My only point is : he is making some allegation against a member of this House. This right cannot be denied to him. My only point is if the hon. member wants to raise the matter under rule 312, he cannot make this allegation unless a notice is given to him (member). This notice is given to the Speaker. The member should also offer his explanation. He cannot be taken by surprise; due opportunity will have to be given to him. The agenda which is slated today does not make mention of the name of hon.

member Sri Salappa. The Leader of the Opposition is quite right in giving notice he is within his right, but the agenda says a different thing. My submission if the hon. member wants to take up this matter under rule 312 as it has been put before the House, but it be taken up as mentioned in his notice. If he wants to raise the matter as mentioned in his notice, due notice will have to be given to the hon. member so that he should prepare himself to answer the points. This would mean that instead of taking this matter today, it may be taken up on some other day. This is all my submission.

† SRI M. VEERAPPA MOILY (Karkal).—With reference to the point of order raised by the hon. Minister for Parliamentary Affairs, I do support his plea because it is an important question relating not only to a person but to a member of this House. I do not think that we can very lightly deal with this subject. Taking for granted that hon. member Sri Salappa is a ordinary citizen, even the right of an ordinary citizen is protected by this House. I shall refer to rule 288 (ii).

" 288 (ii) A member while speaking shall not - make a personal charge against a member: " So, there is a positive clause which is enunciated under rule 288 (ii itself. I do not think it has any other interpretation. A member while speaking shall not make a personal charge against a member. I do not think we can suspend this rule 288 (ii). As far as today's agenda is concerned, we did not bestow too much attention. A serious charge agains a member is made. Allegation of misbehaviour is a serious charge in which all the members are concerned. We cannot take it very lightly. We took it that something might have taken place in the Corporation. We did not take it seriously. When a serious allegation is made against a member, it should have been brought in the agenda. The agenda should have been very specific and all of us should have been properly informed of the serious nature of this particular subject. Under rule 288 even the highest dignitary can be brought on this forum for a discussion to be approved by this House. Rule 289 further strengthens the case as pointed out by the hon. Minister. No allegation of a defamatory or incriminatory nature shall be made against any member". Here it includes a member. Unless a member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make investigation into the matter for the purpose of reply.

"Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the Assembly or that no public interest is served by making such allegation."

Certain incident might have taken place outside this House, we do not know what it is, it might be a cause of action for defamation, it might be a cause of civil action. Here, the crux of the matter is that we have to protect the Member in the interest of the public. Today, the Member concerned is also taken unaware. After all, when I or any other Member makes an allegation against any Member, out of emotions, the Member concerned may react suddenly which may sometimes lead to illegal method also

SRI S. R. BOMMAI.—The matter was raised on the floor of this House a few days back. Therefore, what happened etc., are all there.

SRI M. VEERAPPA MOILY.—So many incidents take place inside the House as well as outside the House Unless we are clear about the subject and the incident we can't raise it suddenly. All of us are not properly informed about the subject and the incident that has taken place. We do not know what incident we have chosen to discuss. So, in view of the serious nature of the issue, I fully support the point of order raised by the Hon. Minister. The hon. Member may be allowed to give notice and we should also be informed about the allegations specifically and all Members of this House must be given protection. As far as I know, for the last six years, such an agenda has not come before the House. Therefore, it is quite proper for us to follow the rules of procedure and guided by it. With this, I fully support the Hon. Minister. Let us give him proper opportunity. This House should not give room for such things. The Member must be fully protected.

SRI S. R BOMMAI.—I have heard with rapt attention the Hon. Minister for Parliamentary Affairs and the hon Member Sri Veerappa Moily. I do concede that this is a matter of paramount importance involving the rights and privileges of the hon. Member of this House. This should not be treated lightly and we are not raising it in that mood. But at the same time, rules are to be strictly followed. So far as the rules are concerned, let us see how the matter came up. Firstly, the matter appeared in the Press. Then, we gave a notice under rule 312 in which the entire matter has been narrated. During the debate on the demands of Municipal Administration Mr. Salap a himself raised it and spoke on the subject. He made a detailed speech on this matter. There are other Members also who have referred to it and then the Hon. Minister for Municipal Administration intervened.

MR. SPEAKER.—Are you referring to the proceedings of the meeting of the Legislators in the Corporation or are you referring to hon. Member Mr. I.P.D. Salappa?

SRI S. R. BOMMAI.—I am not making any charges; but we are discussing the incident that has taken place. If we have to discuss the incident we have to quote circumstances under which it has taken place Because, we cannot discuss the incident in a vaccum. The incident is between the Member and the Corporation Officers. It was raised by Mr. Salappa himself and other Members. Then the Minister said that the Commissioner is not in good terms with Member etc., Mr. Salappa insisted for information along with other Members. We suggested that it is better to get the information from the officers concerned so that we could raise the matter. The Speaker also said that the matter could be raised on Monday. Firstly, he suggested Saturday. Then the Hon. Minister said that the Commissioner was not in station and would be coming on Monday. That is how the matter is fixed for today. Mr. Salappa knows about this matter. It has been debated already in this House as Mr. Salappa and others raised this matter here.

So far as Rule 288 is concerned, it has absolutely no application so far as this matter is concerned. I would submit that Rule 288 is not at all applicable because we are not making any charges against anybody. Here, certain incidents have taken place. Whether it has affected the Member or not-is left to the Hon. Minister to say. The Hon. Minister must get correct report. Suppose the Member in authority mis-use or misbehave that too in a public office, in what way it is very serious matter we have to see. Perhaps for the first time in the history of this House we are discussing such an important matter. There are instances where the proceedings of the Corporation have been summoned and the behaviours of Members who happened to be the Members of this House also been questioned. Even the tape recorder of the proceedings of the Corporation has been summoned and displayed. If it is defamatory in the capacity of Mr. Salappa, then it is a personal charge. If I commit a theft, and if that matter is discussed in the House, then it is a personal charge. It is not so, here. It is the conduct of the hon. Member, as Member of the Assembly. As such, he went there because, he was a Legislator. Otherwise, he had no place there

SRI P. K. RANGANATHAN.—Any public man can get into the Corporation. If he has any grievance, he can question the Commissioner, Engineer, Revenue Officer or whoever he may be. Every citizen has a right to go to the Corporation.

SRI S. R. BOMMAI.—Everybody is not entitled to come inside this Assembly.

SRI P. K. RANGANATHAN.—Corporation is a public office.

MR SPEAKER.—Mr Ranganathan, unless I permit you, you should not rise and speak.

SRI S.R. BOMMAI.—Every citizen can go to the Corporation Commissioner and make a complaint but this is a meeting of the Legislators called by the Administrator. As such his conduct in the meeting is of great importance and it can be raised in this House. So far as Rule 288 is concerned, it should be read independently of Rule 289. Rule 289 is different and Rule 288 is different. I have complied with the requirement of Rule 289 also.

SRI S. M. YAHYA.—It is highly defamatory.

SRI S R. BOMMAI.—We have complied with Rule 289 even. So far as Rule 289 is concerned it says: "No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply". It is not defamatory or incriminatory. So far as the notice is concerned, I have given a notice to the Speaker and the concerned Minister. Rule 289 applies only to cases of allegations of a defamatory nature made against a person who is not a member of this House. Rule 288 does not come into play at all. Therefore, this is a matter rightly raised. So far as giving notice to the person concerned, the hon Member of this House and the Hon. Minister are required to be present throughout the proceedings and they must have knowledge of what is happening in this House. This was discussed and the House agreed that this matter may be taken up on Monday. After discussion and taking consent of this House, this is done. So far as the agenda is concerned, normally, the practice is that the Legislature will prepare agenda giving the summary or substance and the entire notice cannot be printed in the agenda. That is the practice followed That is the practice for pragmatic reasons. The Hon. Minister for Parliamentary Affairs is raising this now and then, and I want a clear ruling of the Speaker I don't say it is a mistake of the office. The office is following a particular procedure since ages and it has been the procedure. The matter has been discussed in this House and the House has agreed that the matter be taken up on 7th and the hon. member against whom this statement is made was also present on that day. He knew that the matter will be taken up on Monday the 7th and in the

presence of the members referred to in the notice, this matter has been taken up. Therefore, there is no Point of Order for raising this matter. This is a matter of great importance and it should be taken up today and we may be permitted to state the matter as it is.

ಶ್ರೀ ಸಿ. ಎಂ. ಇಬ್ರಾಹಿಂ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ತಾವು ಈಗಾಗಲೇ ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರಿಗೆ ೩೧೨ರ ಕೆಳಗೆ ಈ ವಿಷಯವನ್ನು ಇಲ್ಲಿ ಎತ್ತಲು ಅನುಮತಿ ಕೊಟ್ಟಿದ್ದೀರಿ. ಆದರಂತೆ ಅವರು ಪ್ರಸ್ತಾಪ ಮಾಡಲು ಹೊರಟಾಗ ಮಾನ್ಯ ಸಂಸದೀಯ ಮಂತ್ರಿಯವರು ಅದರ ಬಗ್ಗೆ ಕ್ರಿಯಾಲೋಪವನ್ನು ಎತ್ತಿದ್ದಾರೆ. ಕ್ರಿಯಾಲೋಪಕ್ಕೆ ಸಂಬಂಧಪಡದ ಯಾವುದೇ ಒಂದು ವಿಷಯವನ್ನು ಇಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡಬೇಕಾದರೆ, ಆ ಬಗ್ಗೆ ಕಾರ್ಯದರ್ಶಿಯವರಿಗೆ ಬರೆದು ಕೊಡಬೇಕು, ಅನಂತರ ಅದಕ್ಕೆ ಅಧ್ಯಕ್ಷರು ಅನುಮತಿ ಕೊಟ್ಟಮೇಲೆ ಈ ಸಭೆಯಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡಬಹುದೆಂದು ರೂಲ್ ೩೧೨ರಲ್ಲಿ ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳಿದೆ. ರೂಲ್ ೩೧೨ರಲ್ಲಿ ಈ ರೀತಿ ಹೇಳಿದೆ.—

"A member who wishes to bring to the notice of the Assembly any matter which is not a point of order shall give notice in writing..."

ಈ ನಿಯಮದ ಪ್ರಕಾರ ಬೆಂಗಳೂರು ನಗರ ಕಾರ್ಪೊರೇಷನ್‌ನಲ್ಲಿ ಅಧಿಕಾರಿಗಳು ಮತ್ತು ಚುನಾಯಿತ ಶಾಸಕರು ನಡೆಸಿದ ಸಭೆಯ ವ್ಯವಹಾರದ ಬಗ್ಗೆ ಇಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡಲಾಗುತ್ತಿದೆ. ಇಲ್ಲಿ ಕಾರ್ಪೊರೇಷನ್ ಹೊರಗಡೆ ನಡೆದ ವ್ಯವಹಾರದ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಿಲ್ಲ. ಆ ಸಭೆಯಲ್ಲಿ ಹೊರಗಿನವರು ಯಾರೂ ಇರಲಿಲ್ಲ, ಆದಕಾರಣ ಅಲ್ಲಿ ನಡೆದ ಚರ್ಚೆಯ ಬಗ್ಗೆ ಇಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡಲಾಗುತ್ತಿದೆ. ಆದರೆ ಇದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲವೆಂದು, ಇದು ಡೆಫಮೇಟರಿಯಾಗುತ್ತದೆಂದು ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಿದ್ದಾರೆ. ಆ ರೀತಿ ಏನಾದರು ಇದ್ದರೆ ಅದನ್ನು ಸಮರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳಲು ಸಂಬಂಧಪಟ್ಟ ಸದಸ್ಯರು ಇಲ್ಲಿ ಹಾಜರಿದ್ದಾರೆ. ಅವರಿಗೆ ಅಧಿಕಾರ ಇದ್ದೇ ಇದೆ. ೨೮ನೇ ತಾರೀಖು ಅಲ್ಲಿ ನಡೆದ ಮೀಟಿಂಗ್‌ನ ಬಗ್ಗೆ ಇಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡಲು ಅನುಮತಿ ಕೇಳಿದಾಗ, ಅದಕ್ಕೆ ತಾವು ಈಗಾಗಲೇ ಅನುಮತಿ ಕೊಟ್ಟಿದ್ದೀರಿ. ಅದರಂತೆ ಅದನ್ನು ಅಜೆಂಡಾದಲ್ಲಿ ಸೇರಿಸಲಾಗಿದೆ. ಈಗ ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಗಳು ಸಹ ಇದರ ಬಗ್ಗೆ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಲು ತಯಾರಿದ್ದಾರೆ. ಆದಕಾರಣ ಇದರಲ್ಲಿ ಯಾವ ಕ್ರಿಯಾಲೋಪವೂ ಇಲ್ಲ. ಈ ದೃಷ್ಟಿಯಿಂದ ಮಾನ್ಯ ಮಂತ್ರಿಗಳ ಕ್ರಿಯಾಲೋಪವನ್ನು ತಾವು ತಳ್ಳಿಹಾಕಿ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಲು ತಾವು ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕು. ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಿದ ಮೇಲೆ ತಮ್ಮ ನಿಲುವನ್ನು ಸಮರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳಲು ಮಾನ್ಯ ಸಾಲಪ್ಪನವರಿಗೆ ಅವಕಾಶವಿದೆ. ಇಲ್ಲಿ ನಾವು ಕಾರ್ಪೊರೇಷನ್ ಮೀಟಿಂಗ್‌ನಲ್ಲಿ ನಡೆದ ನಡವಳಿಕೆಯ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡಬೇಕೆಂದಿದ್ದೇವೆಯೇ ಹೊರತು, ಕಾರ್ಪೊರೇಷನ್ ಕಛೇರಿಯ ಜಗಲಿ ಕಟ್ಟೆಯ ಮೇಲೆ ನಡೆದ ಮೀಟಿಂಗ್ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಿಲ್ಲ. ಅದನ್ನೆಲ್ಲಾ ಮಾಡತಕ್ಕಂಥ ಇಚ್ಛೆಯೂ ನಮಗಿಲ್ಲ.

ಈಗ ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ರೂಲ್ ೩೧೨ರ ಕೆಳಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡಬೇಕೆಂದಿರುವ ವಿಷಯದ ಬಗ್ಗೆ ತಾವು ಈಗಾಗಲೇ ಒಪ್ಪಿಗೆ ಕೊಟ್ಟಿದ್ದೀರಿ. ಅದರ ಪ್ರಕಾರ ಅವರು ಮಾತನಾಡಲು ಎದ್ದು ನಿಂತಾಗ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಕ್ರಿಯಾಲೋಪ ಎತ್ತಿರುವುದು ಸರಿಯಲ್ಲ. ತಮ್ಮ ಅನುಮತಿ ಇಲ್ಲದಿದ್ದರೆ ಇದು ಅಜೆಂಡಾದಲ್ಲಿ ಬರುತ್ತಿರಲಿಲ್ಲ. ಈಗ ಇದನ್ನು ಅಜೆಂಡಾದಲ್ಲಿ ಸೇರಿಸಿರುವುದರಿಂದ ಇದಕ್ಕೆ ತಮ್ಮ ಅನುಮತಿ ಇದೆ ಎಂದು ಅರ್ಥ. ಆದ್ದರಿಂದ ಇದನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡಲು ತಾವು ವಿರೋಧಪಕ್ಷದ ನಾಯಕರಿಗೆ ಅನುಮತಿ ಕೊಡಬೇಕು, ಅನಂತರ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಲು ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕೆಂದು ತಮ್ಮಲ್ಲಿ ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

೨–೩೦ ಪಿ. ಎಂ.

† ಶ್ರೀ ಕೆ. ಎಚ್. ರಂಗನಾಥ್.—ಸ್ವಾಮಿ, ಈ ಸಭೆಯ ಮುಂದೆ ಈ ವಿಷಯವನ್ನು ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕರೂ ಹಾಗೂ ಸದಸ್ಯರು ಎತ್ತುವುದಕ್ಕೆ ಹಕ್ಕು ಇದೆ. ಆದರೆ ಇದರ ಬಗ್ಗೆ ನನ್ನ ಕ್ರಿಯಾಲೋಪವೇನೆಂದರೆ ಈ ೩೧೨ನೇ ನಿಯಮದ ಕೆಳಗೆ ಬರತಕ್ಕದಲ್ಲ. ಇದು ಇರತಕ್ಕದ್ದು ಬೇರೆ ರೀತಿ ಇದರ ಬಗ್ಗೆ ಮಾನ್ಯ ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕರು ತಮ್ಮ ಅಭಿಪ್ರಾಯವನ್ನು ಸಮರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತಿದ್ದಾರೆ. ಹಿಂದಿನ ದಿವಸ ಖ. ಪಿ. ಡಿ. ಸಾಲಪ್ಪನವರು ಈ ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ ಎಂದು ಹೇಳಿದರು. ಶೆಲವರೂ ಆ ದಿವಸ ಇಲ್ಲಿ ಇರಬಹುದು ಅಥವಾ ಕೆಲವರು ಇಲ್ಲಿ ಇಲ್ಲದೇ ಇರಬಹುದು ಆದರೆ, ಮಾನ್ಯ ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕರು ಮತ್ತು ಇತರ ಸದಸ್ಯರು ಏನು ಹೇಳಿದ್ದಾರೆ ಅದು ಡೆಫಮೇಟರಿ ಆಗುತ್ತದೋ ಇಲ್ಲವೋ ಎಂಬುದು ವಾದಗ್ರಸ್ತವಾದುದು. ಈ ಒಂದು ಅಂಶವನ್ನು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾಗಿದೆ ಎನ್ನುವುದು ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ಹೇಳಿದ ವಿಷಯಕ್ಕೆ ನನ್ನ ಕ್ರಿಯಾಲೋಪ ಸಹಾಯಕವಾಗಿದೆಯೆಂದು ನಾನು ಭಾವಿಸುತ್ತೇನೆ. ಈಗಾಗಲೇ ಆ ವಿಷಯ ಸಭೆಯಲ್ಲಿ ಪ್ರಸ್ತಾಪವಾಗಿದೆ. ಅದು ಈ ಮನೆಯಲ್ಲಿ ಪ್ರಸ್ತಾಪವಾದಮೇಲೆ, ಅದು ಈ ಮನೆಯ ಸ್ವತ್ತು ಆಗಿದೆ. ಈಗ ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ನಾವು ಒಂದು ಒಳ್ಳೆಯ ಸಂಪ್ರದಾಯವನ್ನು ಹಾಕಬೇಕಾಗಿದೆ. ಸಂಪ್ರದಾಯಕ್ಕೆ ವಿರೋಧವಾಗಿ ಕಾರ್ಯಕಲಾಪಗಳನ್ನು ಮಾಡಬೇಕೇ ಎನ್ನುವುದು ಇಲ್ಲಿ ಒಂದು ಚರ್ಚೆಗೆ ಇರತಕ್ಕ ವಿಚಾರ. ಅಧ್ಯಕ್ಷರೆ ನನಗನ್ನಿಸುತ್ತದೆ. ಈ ನೋಟೀಸನ್ನು ಓದುವಾಗ ಅದರಲ್ಲಿ ಆಪಾದನೆಗಳು ಇವೆ ಎಂದು ಗೊತ್ತಾಗುತ್ತದೆ. ಇವು ನಿಜವಾಗಿರಬಹುದು. ನಾನು ಆ ಮೀಟಿಂಗ್‌ಗೆ ಹೋಗಿಲ್ಲ. ಅದು ಸರಿಯೋ ತಪ್ಪೋ ಎನ್ನುವುದು ಮಾನ್ಯ ಸದಸ್ಯರಿಗೆ ಬಿಟ್ಟಿರತಕ್ಕದ್ದು. ಇಡೀ ಮನೆಯ ಸದಸ್ಯರು ಇದು ಸರಿ ಎಂದರೆ ಅದಕ್ಕೆ ಏನು ತೀರ್ಮಾನ ಕೊಡುತ್ತಾರೋ ಆದಕ್ಕೆ ಬದ್ದರಾಗಬೇಕು. ಹೊರನೋಟಕ್ಕೆ ಡೆಫಮೇಟರಿ ಆಗತಕ್ಕದ್ದು ಎಂದು ಎಲ್ಲರಿಗೂ ಅರ್ಥವಾಗುತ್ತದೆ. ಎಲ್ಲಾ ವಿಚಾರಗಳನ್ನು ಅಜೆಂಡಾದಲ್ಲಿ ಹಾಕುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅಜೆಂಡಾದಲ್ಲಿ ಇಷ್ಟು ಇದೆ. ೩೧೨, ೨೮೯ರ ಪ್ರಕಾರ ಇದನ್ನು ಇಲ್ಲಿ ಚರ್ಚೆಗೆ ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಎಂದು ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ಹೇಳಿದ್ದಾರೆ. ಅದಕ್ಕೆ ನನ್ನ ವಿರೋಧ ಇಲ್ಲ. ನನ್ನ ಪ್ರಶ್ನೆ ಏನೆಂದರೆ ಇದನ್ನು ೨೮೯ನೇ ನಿಯಮದ ಕೆಳಗೆ ತೆಗೆದುಕೊಳ್ಳಿ. ನೋಟೀಸನ್ನು ಮಂತ್ರಿಗಳಿಗೆ ಕೊಡಿ, ಅದರಲ್ಲಿ ಏನು ಹೇಳಿದ್ದಾರೆ ಎಂಬುದನ್ನು ಸಭೆಯ ಗಮನಕ್ಕೆ ಅವರು ತರುತ್ತಾರೆ. ಅದನ್ನು ಕೇಳಿಕೊಂಡು ಮಾನ್ಯ ಸದಸ್ಯರು ಇದನ್ನು ವಿಚಾರ ಮಾಡುವುದಕ್ಕೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ, ಇದನ್ನು ೨೮೯ರ ಕೆಳಗೆ ತೆಗೆದುಕೊಳ್ಳಿ. ೨೮೯ರ ಸಬ್ ರೂಲ್ ೨ರಲ್ಲಿ ಏನಿದೆಯೆಂದರೆ ಇದರಲ್ಲಿ ಯಾರ ಮೇಲೂ ಆಪಾದನೆ ಮಾಡತಕ್ಕದ್ದು ಇಲ್ಲ. ಒಂದು ವೇಳೆ ಇದರಲ್ಲಿ ಸತ್ಯಾಂಶವಿದ್ದರೆ ಅದನ್ನು ವಿಚಾರ ಮಾಡತಕ್ಕಂತಹ ಹಕ್ಕು ಈ ಸಭೆಯ ಮಾನ್ಯ ಸದಸ್ಯರಿಗೆ ಇದೆ. ಸತ್ವವುಳ್ಳ ಅಂಶಗಳು ಇದ್ದರೆ ಅದನ್ನು ತಿಳಿಸುವುದಕ್ಕೆ ಸಾಧ್ಯವಿದೆ. ಈ ಮನೆಯ ಸದಸ್ಯರು ಕಾರ್ಪೊರೇಷನ್‌ನಲ್ಲಿ ಸದಸ್ಯರಾಗಿರುವವರು ಆ ಸಭೆಗೆ ಹೋಗಿರುವವರು ಮತ್ತು ಅದು ಕೇಳಿರುವವರೂ ಇದ್ದಾರೆ. ಅದನ್ನು ಸಮರ್ಥನೆಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ ಎಂದು, ಹೇಳುವುದಕ್ಕೆ ನಾನು ನಿಂತಿಲ್ಲ. ಈ ವಿಚಾರವನ್ನು ೩೧೨ರ ಕೆಳಗೆ ತೆಗೆದುಕೊಳ್ಳತಕ್ಕದ್ದು ಒಂದು ಸರಿಯಾದ ಸಂಪ್ರದಾಯವಾಗುವುದಿಲ್ಲ. ಇದು ೩೧೨ರ ಕೆಳಗೆ ಬರಬಾರದು. ಇದು ೨೮೯ರ ಕೆಳಗೆ ಮಾತ್ರ ಬರಬೇಕಾಗುತ್ತದೆ. ಈ ಒಂದು ಸಂಪ್ರದಾಯವನ್ನು ನಾವು ಹಾಕುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡದಿದ್ದರೆ ಬಹಳ ಮಟ್ಟಿಗೆ ಇಂಥ ವಿಷಯಗಳಲ್ಲಿ ನಾವು ಏನು ಕ್ರಮಗಳನ್ನು ಅನುಸರಿಸಿದ್ದೇವೆಂದು ಬೇರೆ ಸಭೆಯವರು ಕೇಳಬಹುದು.

This matter is seized by the House. When the whole matter is seized by the House, every hon. Member has got a right also to point out to the Hon. Speaker to take up the matter under Rule 289. Every hon. Member has got a right to say that this matter should be taken up under Rule 289 and not under Rule 312. Under Rule 312, the word used is "any matter". We cannot take such things also under 312. If that was the case, there would not have been another Rule No. 289

specifically mentioning that matters of defamatory nature should not be taken up in any other rule but only it should be taken up under Rule 289. Therefore, Rule 312 cannot be read with Rule No. 289. Rule No. 289 is an independent Rule by itself because it specifically says about defamatory and incriminatory matters, supposing we take this matter under Rule 312, then, we mention the name of the hon. Member Sri I.P.D. Salappa and make some other things and indirectly refer to the notice. Whatever mentioned here may or may not be right, also. Therefore, I humbly submit that we are not going to lose anything. The Speaker has got right to convert this notice. If still the Hon. Leader of the Opposition were to hold that he has given a notice and, if you were to agree, it could be taken up under Rule 289, tomorrow by following the procedure. Why should we take it up under Rule 312? I am not intending to curtail the right of the Hon. Leader of the Opposition and other hon. Members. The incident had happened in some other place. What we all interested and the Hon. Leader of the Opposition and other Members are interested is that we should behave ourselves in a manner befitting as a Member of this House. This is the crux of the matter. I do agree but my only apprehension is whether this matter could be taken up under Rule 312 in a summary way and thereby making wild allegations? Some of them may be right and some of them may not be right also. Therefore, this is not a matter coming under Rule 312. This is a matter specifically coming under Rule 289. My humble request is to convert this notice given under Rule 312 to Rule 289. Instead of taking it up now, we may take it up tomorrow or day-after tomorrow. If the House feels, you can fix it up for tomorrow itself. Still I would insist your ruling on the point of order. I have raised a point of order that this is not a matter to be taken up under Rule 312 and also I would appeal to you and request the Hon. Leader of the Opposition to agree for the notice to be taken under Rule 289.

SRI P.K. RANGANATHAN.—I would like to mention about what had happened in the Corporation .....

SRI K.H. RANGANATH.—We are not concerned about those things at this point.

MR. SPEAKER.—Whatever consequences, anybody has to face, but here we have to proceed in a legal way. That is very important.

SRI S.R. BOMMAI.—So far as merits are concerned, I am not speaking at all.

ಅಧ್ಯಕ್ಷರು.—ರೂಲ್ 312ರ ಪ್ರಕಾರ ಕೊಟ್ಟಿರುವ ನೋಟಿಸನ್ನು ತಮಗೆ ಕಳುಹಿಸಿದ್ದೇನೆ, ತಾವು ಅಲ್ಲಿರತಕ್ಕ ವಿಷಯವನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡತಕ್ಕದ್ದು. Are you fully convinced that you have investigated this matter?

ಶ್ರೀ ಹೆಚ್.ಸಿ. ಶ್ರೀಕಂಠಯ್ಯ.—ಈಗ ಮಾನ್ಯ ಪಾರ್ಲಿಮೆಂಟರಿ ಶಾಖೆಯ ಮಂತ್ರಿಗಳು ಏನು ಹೇಳಿದ್ದಾರೆ ಅದರ ಮೇಲೆ ಕಾವು ರೂಲಿಂಗ್ ಕೊಡಬೇಕು.

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಸದಸ್ಯರ ಮೇಲೆ ಆಪಾದನೆ ಮಾಡಿದ್ದಾರೆ. ಆದ್ದರಿಂದ ಅವರಿಗೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕು. ನೋಟೀಸಿನಲ್ಲಿ ಕೆಲವು ಆಪಾದನೆಗಳು ಅವರ ಬಗ್ಗೆ ಇರುವುದರಿಂದ I think I have to give a copy of this notice to the Hon. Member.

ಶ್ರೀ ಸಿ.ಎಂ. ಇಬ್ರಾಹಿಮ್ —ಅವರಿಗೆ ಆ ನೋಟೀಸ್ ಕಾಪಿಯನ್ನು ಕೊಡಬೇಕಾದ ಅವಶ್ಯಕತೆ ಇಲ್ಲ. ಏತಕ್ಕೆಂದರೆ ೩೧೨ನೇ ನಿಯಮದ ಪ್ರಕಾರ ಈ ವಿಷಯವನ್ನು ಎತ್ತುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಟ್ಟಿದ್ದೀರಿ. ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಗಳೂ ಕೂಡ ಇದರ ಬಗ್ಗೆ ಹೇಳಿಕೆ ಕೊಡುವುದಕ್ಕೆ ತಯಾರಾಗಿದ್ದಾರೆ.

MR. SPEAKER. I have to give an opportunity to him to furnish the reply.

SRI C.M. IBRAHIM.—It is not necess ry. ರೂಲ್ ೩೧೨ರ ಕೆಳಗೆ ಅವಕಾಶ ಕೊಟ್ಟರೂ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡುವುದಕ್ಕೆ ತಯಾರಾಗಿರಬೇಕಾದರೆ, ಸಂಬಂಧಪಟ್ಟ ಸದಸ್ಯರು ನನಗೆ ಹೇಳಿಕೆ ಕೊಡಬೇಕು, ಅವಕಾಶ ಬೇಕು ಎಂದು ಬರೆದುಕೊಟ್ಟರೆ ಮಂತ್ರಿಗಳನ್ನು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡುತ್ತೀರಾ ಎಂದು ಕೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಏಕೆಂದರೆ, ರೂಲ್ ೩೧೨ ರಲ್ಲಿ any matter ಎಂದು ಇದೆ, any matter ಅಂದರೆ ಮುಗಿದುಹೋಯಿತು.

ಶ್ರೀ ಹೆಚ್ ಸಿ. ಶ್ರೀಕಂಠಯ್ಯ.—ನನಗೆ ನೋಟೀಸ್ ಬಂದಿದೆ, ಈ ಬಗ್ಗೆ ನಾನು ಮಾನ್ಯ ಸಾಲಪ್ಪನವರಿಗೆ ನೋಟೀಸ್ ಕೊಟ್ಟಿಲ್ಲ.

MR. SPEAKER.—I feel that information available in the notice has to be sent to Hon. Member. Because reference has been made in this notice. So, we can take up this matter tomorrow.

†SRI M.C. NANAIAH (Madikere).—Sir, what the Hon Minister for Parliamentary Affairs has stated was that this matter comes under rule 289 and not under rule 312. Now, the Hon Speaker has ruled that the notice given by the Leader of the Opposition and others has to be given to the Hon. Member concerned. Therefore, the notice has become the property of this house. There are certain specific charges against a perticular Member. Then, the notice that has been given by the Leader of the Opposition and others has to find a place in the agenda under rule 312. This is not correct. What our Hon. Minister for Parliamentary Affairs was pleading was that this matter should come under rule 289. So, if you take it as it is, it will fall under 312. Therefore, I request the Hon. Speaker to consider the views expressed by Hon. Minister for Parliamentary Affairs and consider the possibility of taking this matter under rule 289 afresh. This is my point.

SRI S R. BOMMAI.—As regards observation made by the chair to give a copy of notice to the Member concerned I have no objection for that. I do concede that opportunity should be afforded to the Member concerned to express his views in the matter. Because the House is expected to know the truth.....

SRI B. SHIVANNA.—Sir, the Member concerned should know the allegations made by the Leader of the Opposition. He should be given sufficient opportunity.....

SRI S.R. BOMMAI.—I am sorry Hon. Member Sri Shivanna has come late. He do not know the background of the discussions that were held just now. I was saying that the member concerned must be given an opportunity. I also agree with the Hon. Speaker that a copy of the notice should be sent to the Member concerned. That is what I said. Then, the Hon. Minister for Parliamentary Affairs has said that this matter has to be brought under rule 289 Here I submit that the question of interpretation comes when we take up this matter under rule 289. I will read the first four lines of that rule. "..... no allegation of a defamatory or incriminatory nature shall be made by a Member against any person" Here the word 'any person' refers to a person who is not a Member of this House. That is my submission. I have no objection if the matter could be taken up tomorrow under rule 289. But the question of interpretation arises. Therefore, my submission is the matter should be taken up only under rule 312 and not rule 289.

MR. SPEAKER.—Since the Hon. Minister for Parliamentary Affairs raised a point of order as to whether this matter could be raised under rule 312, this issue has got to be clarified. And then, hon. Member Sri I.P.D. Salappa is not aware of the full text of the notice given by the Leader of the Opposition and other members. Hence, he has to be given an opportunity to go through that notice before furnishing his reply. The whole question will be taken up either tomorrow or the day after, fulfilling all the formalities regarding this matter.

SRI C.M. ARMUGHAM.—Mr, Speaker, Sir, I am not going into the details about this matter. I only submit a few things because this is a matter concerning the member of this House. The point before us is whether this matter can be brought under rule 312 or 289. According to rule 289 'any person' means a person not including a Member of this House. So, there is some interpretation about the word 'any person'. In this connection my submission is, the House should not convert itself into a club of accusing the Members each other. That is my point. I think this is the first time the Leader of the Opposition or some Members of this House are making an allegation against another Member of this House. What has been taken place in the Corporation and all that I am not bothered. At the same time the House should also consider the allegations made by the Officers. The House should know whether it is true or not. Because it involves the breachd of privilege of the Member. Sir, the Officers are protected by the

Government. So much so far whatever act they does Government is there to protect these Officers But what about the Members. Therefore, this House should take note of all these things and the Members right must also be protected. Otherwise, it will be impossible for the Members to discharge their obligations for which they have been elected by the people. Therefore my submission is, before the Chair gives its ruling kindly examine whether this matter could be taken up under rule 289 and whether it is in order. I also request the Hon. Speaker to find out whether such things have happened anywhere in the country including Parliament. Otherwise, tomorrow if some Officers reports against a Member without any truth or such things, that matter will be raised in this House. My submission is let not such unfortunate things need be arise in our State. I am not going into the details about the things happened in the Corporation. I do not want to go into the details about that matter. I am only interested in protecting the rights of the Members. So, whatever the rules that has to be laid by this House, it will have far reaching consequence. Therefore, I request the Hon. Speaker to examine this issue and give a ruling on the points raised by me as well as by my friends. I think Hon. Leader of the Opposition will agree with me.

SRI K H. RANGANATH.—Just to clear a doubt, my point of order was that this does not come under rule 312. But I never said that it comes under rule 289: What the hon. Member Sri Armugaum has raised has got wider consequences of a different dimension.

MR. SPEAKER.—The hon. Member has offered certain suggestions. I have to examine them with reference to dicisions in the Lok Sabha and the House of Commons. I will look into it.

SRI C.M. ARMUGHAM.—Sir, a member enjoys all the rights and privileges of a member whether he sits in the ruling party or in the Opposition. To question a member on what has happened outside there are other forums. Suppose a member commits an offence, he will be taken care of by the law. I am only submitting that you kindly apply your mind and give a ruling whether such a matter could at all be raised in this House.

SRI S.R. BOMMAI.—Sir, so far as the point raised by Sri Armugham is concerned, I do see the necessity and concern. I am equally interested in upholding the privilege of a member of the House and in upholding the honour of this House. I agree that nothing should curtail our rights. If a certain matter has been raised and that too in a meeting where we function as legislators and if there is a complaint and if it has appeared in the Press, to protect the honour

of a member of this House, this point has been raised. You can examine the points suggested by him also.

†SRI A LAKSHMISAGAR(Chikpet).—Sir, this is an important matter. I want to make a point and you may consider it also along with the point made out by Sri Armugham. Sri Armugham said that this is the legislature, the law-making body. My submission is that we are in the rule of the law society and even a law-maker is subject to the rules or laws made by himself. The civil servant has also got his own rights and duties just as I have got my own duties and responsibilities. This should not be forgotton. The mere fact that the matter has not been raised so far anywhere outside does not preclude this House from going into the matter because no member of the legislature has behaved in the manner in which it is alleged a particular member has behaved. This is also an important factor. You may bear this in mind in coming to a correct decision so that we may function honourably. Members must function and discharge their duties honestly and honourably and similarly the civil servants should also discharge their functions and duties in conformity with the Constitution and the rules and regulations made thereunder from time to time. This is also an equally paramount matter that shall have to be borne in mind while having a discussion on this matter. I therefore submit in all humility and earnestness that you should apply your mind and see that correct guidance is given to this House in this matter.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(*i*) *Re : Failure of the Government in not taking advantage of the offer of Government of India to subscribe to the share capital of S.C./S.T. Development Corporation.*

SRI M.V. RAJASEKHARAN (Uttarahalli)—Sir, I call the attention of the Minister for Finance to the failure on the part of the Government in not taking advantage of the offer of the Government of India to subscribe to the share capital of S.C./S.T. Corporations,

SRI S. M YAHYA (Minister for Finance)—Sir, I wish to make the following statement.

1. It is true that Government had before them in the last quarter of the financial year 1978-79 a proposal to increase the authorised share capital of the Scheduled Castes and Scheduled Tribes Development Corporation. The idea was that the Government of India and the State Government would jointly invest in the additional equity of the Corporation.